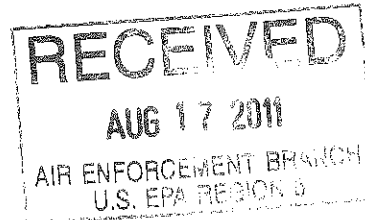




August 11, 2011

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
Box 7611 Ben Franklin Station
Washington, DC 20044-7611



Air and Radiation Division
EPA Region 5
77 W. Jackson Blvd (AE-17J)
Chicago, IL 60604
Attn: Compliance Tracker

Office of Region Counsel
EPA Region 5
77 W. Jackson Blvd (C-14J)
Chicago, IL 60604

RE: DOJ No. 90-5-2-1-09022
Vertellus Agriculture & Nutrition Specialties LLC
Indianapolis Indiana
Compliance Status Report

To Whom It May Concern:

Vertellus Agriculture & Nutrition Specialties LLC (Vertellus) respectfully submits the enclosed Corrective Action Plan (CAP) as required in Paragraph 46 of the Consent Decree between the United States of America and Vertellus, Civil Action No. 1:09-cv-1030 SEB-TAB.

If you have any questions, please contact me at 317-248-6511.

Sincerely,

A handwritten signature in black ink, appearing to read "Tamra Kress", written over a horizontal line.

Tamra Kress
EHS&S Manager

Cc: John Jones, Vertellus
Anne Frye, Vertellus
Constantinos Loukeris, EPA
Deboraha Carlson, EPA
David Harrison, IDEM (via email)



Vertellus Agriculture & Nutrition Specialties LLC
1500 S Tibbs Avenue
Indianapolis, IN 46242-0912
Phone: 317-247-8141 www.vertellus.com

Vertellus Agriculture & Nutrition Specialties LLC Indianapolis Indiana

Corrective Action Plan (CAP)

Preliminary included in Final

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1. Purpose

The Enhanced LDAR Program (ELP) required by the Consent Decree (CD) with the U.S. Environmental Protection Agency (EPA), Civil Action No. 1:09-cv-1030 SEB-TAB as Lodged on August 21, 2009 and Effective December 1, 2009 (CD), requires Vertellus Agriculture & Nutrition Specialties LLC (Vertellus) to develop a preliminary corrective action plan no later than 30 days after each LDAR Audit Completion Date if the result of the audit identify any areas of non-compliance or if the Comparative Monitoring Leak Ratio is 3.0 or higher.

By no later than 90 days after the LDAR Audit Completion Date, Vertellus shall submit the final Corrective Action Plan (CAP) to EPA along with a certification of the completion of each item of corrective action.

Any action that is not completed within 90 days will be completed as expeditiously as practicable and a proposed schedule with explanations will be provided in this report. Vertellus shall submit a supplemental certification of completion by no later than 30 days after completing all actions.

2. Areas of Concern Identified in LDAR Audit

There were no areas of non-compliance however, the following area of concern was identified from the Third-Party Leak Detection and Repair Audit report completed by August Mack Environmental, Inc. (AME) dated June 28, 2011.

2.1. Pieces of Equipment Identified by Field Monitoring Technicians as Not Being Integrated into the LDAR Database

As mentioned in the audit report, all changes to processes or process equipment are required to have a Management of Change (MOC) document, review, and approval. Any MOCs involving LDAR equipment are copied and provided to EMSI for tagging and database updates as applicable.

- ACTION—Confirm that the MOC document is in the file and that tagging and/or database is up-to-date.

3. Comparative Monitoring Leak Ratios

Vertellus shall describe the systemic causes and actions to take for any Comparative Monitoring Leak Ratio that is 3.0 or higher. The following data is the Comparative Monitoring Leak Ratios for Plant 41.

Equipment Type	Comparative Monitoring Leak Ratio
Valve	0.00
Pump	1.32
Agitator	0.00
Connector	2.63
OELCD	0.00

All of the Comparative Monitoring Leak Ratios are below 3.0.

4. Corrective Actions for Areas of Concern Identified in LDAR Audit (Preliminary Corrective Action Plan as identified within 30 day of the audit completion)

The actions listed in Section 2 are compiled below:

1. ACTION—Confirm that the MOC document is in the file and that tagging and/or database is up-to-date.

5. Schedule for Completion of Corrective Actions

The following dates are provided as part of the schedule for completion of corrective actions. All attempts will be made to complete the actions above within 90 days.

- LDAR Audit Commencement Date- April 25, 2011
- LDAR Audit Completion Date- June 28, 2011
- Preliminary Corrective Action Plan- July 28, 2011
- Final CAP submitted to EPA- September 26, 2011

The preliminary schedule is to complete all action items by **August 15, 2011**.

6. Completion of Corrective Actions-Final Corrective Action Plan

All of the Actions identified in Section 4 were completed by August 15, 2011 as identified in the preliminary schedule.

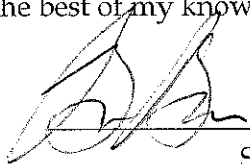
- Action 1—Vertellus inspected the area noted on the audit report and confirmed that the new equipment was tagged and monitored as required. There were two valves identified as not tagged. Inspection confirmed the number associated with the valves to be tag numbers 01713 and 01717. As shown in the attached screen shots of the LDAR database (Attachment 1), the equipment records were updated and all quarterly monitoring events are shown. A copy of the MOC is also included in Attachment 2.

There are no actions to complete extending greater than 90 days therefore, a supplemental certification of completions is not required. The certification of completion is provided as Section 7 of this report.

7. Certification of the Completion of each Item of Corrective Action (For Final CAP)

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that this document and its attachments were prepared either by me personally or under my direction or supervision in a manner designed to ensure that qualified and knowledgeable personnel properly gather and present the information contained therein. I further certify, based on my personal knowledge or on my inquiry of those individuals immediately responsible for obtaining the information, that the information is, to the best of my knowledge and belief, true, accurate, and complete.

Site Director
Brian Bence



Signature

8/11/2011

Date

ATTACHMENT !

LDAR DATABASE SCREEN SHOTS








Tag Summary > Tag Details

Area Sub Area Tag#
41-CYANO 41 TKFRM 01713
Sequence# 31

Main Menu

Tag List

Tag
DetailsMonitoring
SummaryMonitoring
DetailsRepair
Details

      		Last Mon: 06/22/2011 01:11 Retired Date: / /	
Emission Inventory (admin use only)			
Incl <input checked="" type="checkbox"/> Socmi <input type="checkbox"/> C2% <input type="text"/>			
Control Credit: <input type="text"/>			
Leak Def: 500		Frequency: Q	Lock Freq: <input type="checkbox"/>
Why Exempt: <input type="text"/>			
Status: <input type="text"/>		Status Date: <input type="text"/>	Low Leaking Vly <input checked="" type="checkbox"/> Pkg <input type="checkbox"/> 05/01/2011
Month of Period: 3		Regulations: CONSENT DEC PHARMACT Gt	
Needs Ext. Probe: <input type="checkbox"/>		Owner: <input type="text"/>	Route: <input type="text"/>
PrepCode: <input type="text"/>		PrepDeso: <input type="text"/>	
Car Seal: <input type="checkbox"/>		Car Open: <input type="checkbox"/>	Car Seal Seq: 0
Benzene: <input type="checkbox"/>		Rad Susp: <input type="checkbox"/>	Tag Tech: BRIAN WHITLEY
Comments: <input type="text"/>			
Commissioned: 04/01/2010		Reason added: NEW TAGGING	
By Date/Time: 6/2/2011 11:39:13 AM		emailid: <input type="text"/>	

HRVOC <input type="checkbox"/>	MT (w/no mon rec) <input type="checkbox"/>	
EMACT <input type="checkbox"/>	Potential OEL <input type="checkbox"/>	
RCK: 1	Size: 2	Type: BALL
Location: CRNA VP RD & ALWISE RD. BTW MT-600.12&11 @ PP-600.02X SUCT LINE		
DTM <input type="checkbox"/>	W/w <input type="text"/>	
CV <input type="checkbox"/>	W/w <input type="text"/>	
Inst/Loop: <input type="checkbox"/>	Anti/Loop: <input type="checkbox"/>	
UTM <input type="checkbox"/>	W/w <input type="text"/>	
Product: BENZE	RespFctr: 0	
Phase: LL	Temp: 0	Press: 0
Equipment: PP-600.02X		
PID: 41PID02-008	Line Size: 0	
Line #: <input type="text"/>	Valve Mt: <input type="text"/>	
Old Area: <input type="text"/>	Old Tag No: <input type="text"/>	
D&T#: <input type="text"/>		
<input type="checkbox"/> View Change History		

Tag Summary > Tag Details > Monitoring Summary

Area Sub Area Tag#
41-CYANO 41-TKFRM 01713

Main Menu

Tag List

Tag
DetailsMonitoring
SummaryMonitoring
DetailsRepair
Details

Monitor Date	Inst ID	Tech	Bkgnd	Reading	Visible Leak	Pt Lking	Work Order	Comments	MT	Lk Def
6/22/2011	V02	DPA	1	2						500
3/21/2011	V02	DPA	1	17					MT	500
12/16/2010	288	JBM	1	20						500
8/25/2010	288	JBM	1	5						500
6/24/2010	243	AM2	2	6						500

Tag Summary > Tag Details
 Area Sub Area Tag#
 41-CYAND 41 TKFRM 01717
 Sequence# 106

Main Menu Tag List Tag Details Monitoring Summary Monitoring Details Repair Details

		Last Mon: 05/22/2011 QTR Filed Date: / /
HRVOC <input type="checkbox"/> MT (w/no mon rec) <input type="checkbox"/> EMACT <input type="checkbox"/> Potential DEL <input type="checkbox"/> RCK 1 Size 2 Type BALL		Emission Inventory (admin use only) Incl <input checked="" type="checkbox"/> Socril <input type="checkbox"/> C2% <input type="text"/>
Location CRNH VP RD & ALWISE RD, BTW MT-600.12&11 @ PP-600.02X SUCT LINE		Control Credit: <input type="text"/>
DTM <input type="checkbox"/> Why <input type="text"/> CV <input type="checkbox"/> Why <input type="text"/> Inst/Loop <input type="checkbox"/> Aniz/Loop <input type="checkbox"/> UTM <input type="checkbox"/> Why <input type="text"/>		Leak Def 500 Frequency Q Lock Freq <input type="checkbox"/> Why Exempt <input type="text"/>
Product BENZE Resp Fctr 0 Phase UL Temp 0 Press 0 Equipment PP-600.02X PID 41RID02-008 Line Size 0 Line # <input type="text"/> Valve Mt <input type="text"/> Old Area <input type="text"/> Old Tag No <input type="text"/> View Change History D&T# <input type="text"/>		Status <input type="text"/> Status Date <input type="text"/> Month of Period 3 Needs Ext. Probe <input type="checkbox"/> Regulations <input type="text"/>
		Low Leaking Vlv <input checked="" type="checkbox"/> Pkg <input type="checkbox"/> 06/01/2011
		Owner <input type="text"/> Route <input type="text"/> Prep Code <input type="text"/> Prep Desc <input type="text"/> Car Seal <input type="checkbox"/> Car Open <input type="checkbox"/> Car Seal Seq 0 Benzene <input type="checkbox"/> Rad <input type="checkbox"/> Tag Tech BRIAN WHITLEY Comments <input type="text"/>
		Commissioned 04/01/2010 Reason added NEW TAGGING
		By Date/Time ems/dor 6/2/2011 11:38:13 AM

Tag Summary > Tag Details > Monitoring Summary

Area Sub Area Tag ID
41-CYANO 41 TKFRM 01717

Main Menu

Tag List

Tag
DetailsMonitoring
SummaryMonitoring
DetailsRepair
Details

Monitor Date	Inst ID	Tech	Bkgnd	Reading	Visible Leak	Pt Lking	Work Order	Comments	MT	Lk Def
6/22/2011	V02	DPA	1	1						500
3/21/2011	V02	DPA	1	11					MT	500
12/16/2010	288	JBM	1	9						500
8/26/2010	288	JBM	1	13						500
6/24/2010	243	AM2	2	5						500

ATTACHMENT 2

COPY OF MOC

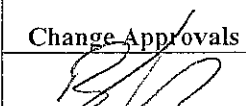
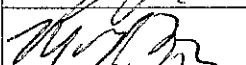
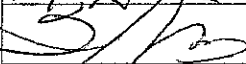


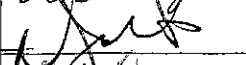


Change Request Form- PS0001 Number: _____

Section 1: Identify the Proposed Change. To be completed by the person requesting the change.

Requested by: Trey Reeves	Request submitted to: Ben Stewart
Emergency?: Yes ___ No <u>X</u>	Date of Change Request: <u>9/1/10</u> Notification Number # _____ Maintenance Order #: _____
Unit: 41 Project #: CWO #:	1) Is this a temporary change?: Yes ___ No <u>X</u> 2) If yes, Date for temporary change to be returned to original condition?: _____ 3) Who is responsible for restoring change to original condition? _____
I am proposing an <u>(Equipment)</u> / Procedure / Process / Organization) change. (Circle one)	
Description of proposed change (What is the change?; a change from what to what?) and reason for proposed change: LDAR Upgrade to bottoms piping on tanks 11 & 12. The suction piping on tanks 11 and 12 is threaded and has had multiple LDAR leaks. This change is to upgrade the fittings to flanged or welded. In addition, any valves replaced will also be LDAR rated valves. <div style="text-align: right; margin-top: 20px;"><i>LDAR copy To Jim</i></div>	

Is this a major change?

	Yes	No
New raw material/packaging or raw material/packaging supplier?	_____	_____X_____
Rate increase above existing limits?	_____	_____X_____
Changes in operating limits outside of defined "not to exceed limits"?	_____	_____X_____
Equipment modifications?	_____	_____X_____
Piping changes (rerouting, removing/adding etc.)?	_____X_____	_____
Converting equipment to different use?	_____	_____X_____
Changing/replacing relief devices?	_____	_____X_____
New processing procedure?	_____	_____X_____
Changes in material of construction?	_____	_____X_____

Change Approvals	Department	Date	Approved?		Reason for rejection
			Yes	No	
	PROCESS TEAM LEADER	9/2/10	✓		
	PRODUCTION	9/15/10	✓		
	HSE	9/15/10	✓		
	TECHNOLOGY	9/15/10	✓		
	ENGINEERING	9/15/10	✓		
	MAINTENANCE	9/15/10	✓		
	PROCESS SAFETY	9/15/10	✓		
	QUALITY	9/15/10	✓		